

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Saint Torrance,

Plaintiff,

v.

Case No. 1:09cv645

Aspirecard.Com Inc.,

Judge Michael R. Barrett

Defendant.

ORDER

This matter is before the Court on the Order to Show Cause (Doc. 9), the Report and Recommendation filed by the Magistrate Judge on September 17, 2010 (Doc. 10), and Return of Certified Mail as Undeliverable (Doc. 11).

The Court notes that the Order to Show Cause served upon Plaintiff was returned to the Court due to Plaintiff's failure to apprise the Court of his change of address. By failing to keep the Court apprised of his current address, Plaintiff demonstrates a lack of prosecution of his action. See *Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991) (explaining that a *pro se* litigant has an affirmative duty to diligently pursue the prosecution of his cause of action); *Barber v. Runyon*, No. 93-6318, 1994 WL 163765, at *1 (6th Cir. May 2, 1994) (explaining that a *pro se* litigant has a duty to supply the court with notice of any and all changes in his address).

In addition, in his R&R the Magistrate Judge recommends dismissing this matter for lack of prosecution for failing to respond to the Order to Show Cause. The Magistrate Judge also found that this matter should be dismissed pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim.

District courts have the inherent power to *sua sponte* dismiss civil actions for want

of prosecution to "manage their own affairs so as to achieve the orderly and expeditious disposition of cases." *Link v. Wabash R.R.*, 370 U.S. 626, 630-31 (1962). Accordingly, it is **ORDERED** that this matter be **DISMISSED with PREJUDICE**. This matter shall be **CLOSED** and **TERMINATED** from the docket of this Court.

IT IS SO ORDERED.

/s/ Michael R. Barrett

Michael R. Barrett
United States District Judge